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Committee on the Peaceful Uses of Outer Space
Legal Subcommittee
Forty-first session
Vienna, 2-12 April 2002

Provisional agenda[1]

1. Opening of the session and adoption of the agenda.
2. Statement by the Chairman.
3. General exchange of views.
4. Status and application of the five United Nations treaties on outer space.
5. Information on the activities of international organizations relating to space law.
6. Matters relating to:
   (a) The definition and delimitation of outer space;
   (b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union.
7. Review and possible revision of the Principles Relevant to the Use of Nuclear Power Sources in Outer Space.

[1] In paragraph 5 of its resolution 56/51 of 10 December 2001, the General Assembly endorsed the recommendation of the Committee on the Peaceful Uses of Outer Space that the Legal Subcommittee, at its forty-first session, taking into account the concerns of all countries, in particular those of developing countries, should consider items 3, 4, 5 and 6 as regular items of the agenda, should consider items 7 and 8 as single issues and items for discussion and should consider item 9 in accordance with the work plan adopted by the Committee. In paragraph 6 of the same resolution, the Assembly noted that the Subcommittee, at its forty-first session, would submit proposals to the Committee for new items to be considered by the Subcommittee at its forty-second session, in 2003.

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8. Consideration of the draft convention of the International Institute for the Unification of Private Law (Unidroit) on international interests in mobile equipment and the preliminary draft protocol thereto on matters specific to space property.

9. Review of the concept of the "launching State".

10. Proposals to the Committee on the Peaceful Uses of Outer Space for new items to be considered by the Legal Subcommittee at its forty-second session.

Annotations

4. Status and application of the five United Nations treaties on outer space

At its fortieth session, in 2001, the Legal Subcommittee agreed that a working group should be established on this item, the terms of reference of which would include the status of the treaties, review of their implementation and obstacles to their universal acceptance, as well as promotion of space law, especially through the United Nations Programme on Space Applications (A/AC.105/763 and Corr.1, para. 118).

In paragraph 7 of its resolution 56/51 of 10 December 2001, the General Assembly agreed that the Legal Subcommittee should establish the working group with the terms of reference as agreed upon by the Subcommittee at its fortieth session, to be convened for three years, from 2002 to 2004.

5. Information on the activities of international organizations relating to space law

In the discussion of this item, member States may bring to the attention of the Legal Subcommittee any information on the activities of international organizations relating to space law. In accordance with the agreement reached at the fortieth session of the Legal Subcommittee, international organizations were invited to report to the Subcommittee on their activities (A/AC.105/763 and Corr.1, para. 38).

In paragraph 8 of its resolution 56/51, the General Assembly noted that the Committee on the Peaceful Uses of Outer Space would invite interested member States to designate experts to identify which aspects of the report on the ethics of space policy by the World Commission on the Ethics of Scientific Knowledge and Technology (COMEST) of the United Nations Educational, Scientific and Cultural Organization might need to be studied by the Committee and to draft a report, in consultation with other international organizations and in close liaison with the Commission, with a view to making a presentation on the matter at the forty-second session of the Legal Subcommittee, in 2003, under the agenda item entitled "Information on the activities of international organizations relating to space law".

6. Matters relating to:

(a) The definition and delimitation of outer space

(b) The character and utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit without prejudice to the role of the International Telecommunication Union

In paragraph 9 of its resolution 56/51, the General Assembly noted that, in accordance with the agreement reached by the Legal Subcommittee at its thirty-ninth session, in 2000, on the question of the character and utilization of the geostationary orbit, the Legal Subcommittee would reconvene its working group on that item only to consider matters relating to the definition and delimitation of outer space.

8. Consideration of the draft convention of the International Institute for the Unification of Private Law (Unidroit) on international interests in mobile equipment and the preliminary draft protocol thereto on matters specific to space property

In paragraph 10 of its resolution 56/51, the General Assembly endorsed the agreement of the Legal Subcommittee concerning the establishment of an ad hoc consultative mechanism to review the relevant issues. The Legal Subcommittee at its fortieth session agreed to establish an ad hoc consultative mechanism to review the issues relating to the item, in accordance with a proposal introduced by the delegation of Belgium. The mechanism would make it possible to undertake preparatory work and to hold informal consultations during the forty-fourth session of the Committee on the Peaceful Uses of Outer Space, in June 2001, and, if necessary, inter-sessional consultations at the convenience of interested member States, with the participation of the representatives of the secretariat of the Subcommittee, and to which representatives of the secretariat of the International Institute for the Unification of Private Law (Unidroit) and relevant specialized international organizations might also be invited, with a view to facilitating the work of the Subcommittee in examining in detail the numerous issues relating to the topic within a time frame appropriate to the importance of the initiative. The mechanism would operate under the aegis of the Legal Subcommittee and the results of consultations undertaken through the mechanism would be reported to the Subcommittee at its forty-first session for its consideration and endorsement, as it deemed appropriate (A/AC.105/763 and Corr.1, para. 94).

9. Review of the concept of the "launching State"

In paragraph 11 of its resolution 56/51, the General Assembly noted that the Legal Subcommittee would reconvene its working group to consider this item.

In accordance with the work plan adopted by the Committee on the Peaceful Uses of Outer Space at its forty-second session, in 1999, this item will be considered by a working group during a three-year period beginning in 2000. In 2002, the final year of the work plan, the Subcommittee should review measures to increase adherence to and promote the full application of the Convention on International Liability for Damage Caused by Space Objects and the Convention on Registration of Objects Launched into Outer Space.[2]

[2] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 20* and corrigendum (A/54/20 and Corr.1), para. 114.

Annex

Organization of work

1. At its fortieth session, in 2001, the Legal Subcommittee agreed that a flexible organization of work should continue to serve as the basis for organizing its work with a view to making fuller use of the conference services available (A/AC.105/763 and Corr.1, para. 10).

2. At the close of the afternoon meeting on 2 April 2002, a symposium entitled "Prospects for Space Traffic Management", sponsored by the International Institute of Space Law and the European Centre for Space Law, will be held.

3. An indicative schedule of work is given below.

Indicative schedule of work[a]

Date	*Morning*	*Afternoon*
Week of 2-5 April 2002		
Tuesday, 2 April	Item 1. Opening of the session and adoption of the agenda Item 2. Statement by the Chairman Item 3. General exchange of views	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space Symposium: Prospects for Space Traffic Management
Wednesday, 3 April	Item 3. General exchange of views Item 4. Status and application of the five United Nations treaties on outer space	Item 4. Status and application of the five United Nations treaties on outer space Item 7. Nuclear power sources Item 9. Review of the concept of the "launching State"
Thursday, 4 April	Item 4. Status and application of the five United Nations treaties on outer space Item 7. Nuclear power sources Item 9. Review of the concept of the "launching State"	Item 4. Status and application of the five United Nations treaties on outer space Item 9. Review of the concept of the "launching State"
Friday, 5 April	Item 9. Review of the concept of the "launching State"	Item 9. Review of the concept of the "launching State"

[a] At its thirty-eighth session, in 1995, the Committee on the Peaceful Uses of Outer Space agreed that the practice of allocating specific agenda items to particular meetings at a session should be ended and that, to assist in their planning, member States would continue to be provided with an indicative schedule of work, which would be without prejudice to the actual timing of consideration of specific agenda items (*Official Records of the General Assembly, Fiftieth Session, Supplement No. 20* (A/50/20), paras. 168 and 169 (b)).

Date	*Morning*	*Afternoon*
Week of 8-12 April 2002		
Monday, 8 April	Item 5. Information on the activities of international organizations relating to space law	Item 5. Information on the activities of international organizations relating to space law
	Item 6 (a). The definition and delimitation of outer space	Item 6 (a). The definition and delimitation of outer space
	Item 6 (b). The character and utilization of the geostationary orbit	Item 6 (b). The character and utilization of the geostationary orbit
Tuesday, 9 April	Item 5. Information on the activities of international organizations relating to space law	Item 5. Information on the activities of international organizations relating to space law
	Item 6 (a). The definition and delimitation of outer space	Item 6 (a). The definition and delimitation of outer space
	Item 6 (b). The character and utilization of the geostationary orbit	Item 6 (b). The character and utilization of the geostationary orbit
	Item 8. Consideration of the draft Unidroit convention and the draft protocol thereto	Item 8. Consideration of the draft Unidroit convention and the draft protocol thereto
Wednesday, 10 April	Item 8. Consideration of the draft Unidroit convention and the draft protocol thereto	Item 8. Consideration of the draft Unidroit convention and the draft protocol thereto
	Item 10. Proposals to the Committee on new agenda items	Item 10. Proposals to the Committee on new agenda items
Thursday, 11 April	Item 8. Consideration of the draft Unidroit convention and the draft protocol thereto	Item 8. Consideration of the draft Unidroit convention and the draft protocol thereto
	Item 10. Proposals to the Committee on new agenda items	Item 10. Proposals to the Committee on new agenda items
		Adoption of the reports of the working groups on the status and application of the five United Nations treaties on outer space, on the definition and delimitation of outer space and on the review of the concept of the "launching State"
Friday, 12 April	Adoption of the reports of the working groups on the status and application of the five United Nations treaties on outer space, on the definition and delimitation of outer space and on the review of the concept of the "launching State"	Adoption of the report of the Legal Subcommittee